

## **IC 12-24-5**

### **Chapter 5. Admission to State Institutions**

#### **IC 12-24-5-1**

##### **"Resident" defined**

Sec. 1. As used in this chapter, "resident" refers to an individual who has lived continuously in Indiana during the previous year.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-2**

##### **Determination of residence; requirements**

Sec. 2. For purposes of determining the residence of an individual under this chapter, the following apply:

- (1) If the individual spent any time in a public or private hospital or institution, the individual is not considered to have lived in Indiana continuously during that period.
- (2) If the individual has been a resident of a state that does not have a reciprocal agreement with Indiana, the residence requirements for the individual to gain admission to a state institution may not be less than the requirements for residence in the state of the former residence of the individual.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-3**

##### **Care and maintenance; residents**

Sec. 3. A resident is entitled to care and maintenance in a state institution if the resident is legally admitted to the state institution.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-4**

##### **Nonresidents; factors**

Sec. 4. The director may authorize the admission of an individual who is not a resident to a state institution if, in the judgment of the director:

- (1) it cannot be determined if the individual is a resident; or
- (2) the circumstances of the case constitute sufficient reason to admit the individual.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-5**

##### **Deportation of escapee from institution of another state**

Sec. 5. The director may order the deportation of an individual found in Indiana who has escaped from an institution of another state even if an application to admit the individual to a state institution has not been made.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-6**

##### **Report of nonresident patient to director; investigation; return to place of residence; certification of impracticability**

Sec. 6. (a) The superintendent of a state institution shall notify the director if there is a patient in the state institution who the superintendent believes is not a resident.

(b) If the director receives a report under subsection (a), the director or the director's designee shall investigate whether the patient is a resident.

(c) Except as provided in subsection (e), if the director determines that the patient was not a resident at the time of admission to the state institution, the division shall return the patient to the patient's place of residence.

(d) If the director determines it is impractical to return the patient to the patient's place of residence, the director shall certify that fact in writing.

(e) If the director makes a certification under subsection (d), the patient is considered a resident of the county in which the patient resided for the longest time during the year immediately preceding the patient's admission to the state institution.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-7**

##### **Interstate agreements concerning return of individuals to state of residence**

Sec. 7. The director may enter into agreements with authorities of another state that enacts legislation consistent with this chapter for the following:

(1) The arbitration of disputed questions between the other state and Indiana concerning the residence of individuals.

(2) The return of the individuals to their place of residence.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-8**

##### **Return of resident; consent**

Sec. 8. The director may consent to the return to Indiana of an individual who is a resident.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-9**

##### **Designation of state institution to receive returnees; care**

Sec. 9. The director shall designate a state institution to do the following:

(1) Receive individuals returned to Indiana under this chapter.

(2) Provide care for those individuals until committed to the proper state institution.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-5-10**

##### **Deportation expense; payment**

Sec. 10. The actual necessary expense incurred in deporting an individual under this chapter shall be paid from the state general fund upon a verified claim made by the director or the director's designee.

*As added by P.L.2-1992, SEC.18.*